

Serial No. 09/825,023  
Amendment dated January 6, 2006  
In reply to Final Office Action dated July 12, 2005

Docket No. 1232-4703

### **REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendments and the following remarks.

#### **Claim Status**

The Office Action indicates that claims 1-11 are pending in this application and have been rejected. Independent claims 1, 6 and 11 are herein amended. No new matter has been added by the amendments presented herein.

#### **The 35 U.S.C. §102(e) Rejection**

The Office Action rejects claims 1-11 under 35 U.S.C. §102(e) as allegedly being anticipated by US Patent No. 6,671,061 to Joffe et al. ("Joffe"). For at least the reasons set forth below, Applicant respectfully traverses this rejection and submits that Applicant's claimed invention is patentably distinct over Joffe, individually or in combination with the prior art of record.

Joffe discloses a fax broadcasting system having a networking device used in a packet switching network environment. The networking device includes a processing device having a plurality of storage spaces each of which is configured to store one packet of fax information. The processing device further receives an email message from a sending communication device to which fax information is attached in packet form. The fax broadcasting system is used to broadcast a facsimile message from a sending communication device to a plurality of receiving communication devices.

The networking device of Joffe's broadcasting system, as discloses in Fig. 2, includes "a fill bit generator block 38" that includes "a fill bit field 42." A relevant portion of Joffe, as pointed out by the Examiner, describes that "... the longer the requirement for the minimum scan

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line time, the greater the number of appended fill bits associated with each fax scan line.” (col. 6, lines 55-58 of Joffe) The Examiner appears to interpret the fill bit generator block of Joffe as the “control means” of the present invention.

As indicated above, independent claims 1, 6 and 11 have been amended for further clarification. In particular, amended claim 1 recites, among others, “a control step for controlling a transmission timing of a first signal transmitted from said first communication unit to said general switched telephone network based on a second signal received from said IP network by said second communication unit.” Amended claim 1 further recites “the signal transmission timing from said first communicating unit is controlled to transmit the first signal at a predetermined time after the reception of the second signal from said IP network is completed thereby preventing a transmission delay via said IP network from causing a corresponding signaling delay over said general switched telephone network.” Support for the amendment may be found, for example, at page 17/line 22 through page 18/line 22 of the original specification. Other amended claims (i.e., claims 6 and 11) include similar features to claim 1 as amended.

One of the aspects of the present invention as featured in amended claims 1, 6 and 11 is directed to maintain a signaling timing to the general switched telephone network with a predetermined value by transmitting the first signal after the reception of the second signal from the IP network is completed.

As explained in the Background of the Invention section of the present application, the signaling timing in a conventional Internet facsimile gateway apparatus varies depending on the reception delay caused by the IP network. As a result, a full duplex communication between G3 facsimile apparatuses was not normally performed. The present invention resolves this problem in a conventional system by transmitting the signal to the general switched telephone network

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with reference to the completion of the reception from the IP network. Applicant believes that Joffe fails to show or suggest this aspect of the invention as discussed herein.

Accordingly, each of claims 1, 6 and 11 as amended is believed neither anticipated by nor rendered obvious in view of Joffe for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 1, 6 and 11 under 35 U.S.C. §102(e) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

Applicant believes that the application is in condition for allowance and such action is respectfully requested.

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**AUTHORIZATION**

A petition for a three-month extension of time along with the associated fee is enclosed, extending the date for responding until January 12, 2006. Should an additional extension of time be required to render this paper timely filed, such extension is hereby petitioned and the Commissioner is authorized to charge any other fees necessitated by this Amendment, or credit any overpayment to our Deposit Account No. 13-4500 (Order No. 1232-4703). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED. An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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Dated: January 6, 2006

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